

**U.S. BANKRUPTCY COURT**  
**Western District of Wisconsin**  
**SECTION 341 MEETING PROCEEDING MEMO AND**  
**STANDING CHAPTER 13 TRUSTEE'S REPORT**

**IN RE:**

Name: Daniel C. & Opal L. Hoffman

Case # 24-11089

**Debtor Information:**

SS#: XXX-XX-1206

Addr: W8110 Phillips Rd  
Poynette, WI 53955

County: COLUMBIA

**Spouse Information:**

SS#: XXX-XX-8464

Addr: W8110 Phillips Rd  
Poynette, WI 53955

County: COLUMBIA

Debtor's Attorney: NOE RINCON

341 Meeting Date: 06/28/2024

Adjourned 341 Date:

Tape #: 3

Date Filed: 05/31/2024

Schedules Filed:

Plan Filed: 06/24/2024

Amd Plan Filed: 06/24/2024

**Appearances:** Debtor: WDL,SS, y y

Attorney: y

Creditors: \_\_\_\_\_

**1. INFORMATION WHICH WOULD MAKE DEBTOR'S STATEMENTS AND SCHEDULES MORE ACCURATE:**

A. New Employment: \_\_\_\_\_

B. New Address: \_\_\_\_\_

C. Other: \_\_\_\_\_  
\_\_\_\_\_

**2. ELIGIBILITY / DEBT ANALYSIS:**

A. Eligible under Section 109(e)? Y

B. Analysis of Scheduled Debt:

Attorney	4,500.00
Unsecured	61,465.15
Refund	0.00
Secured	307,403.84
Case Costs	0.00
Total Debt	<u>373,368.99</u>

D. Prior Bankruptcies: Notice of Debtor's Prior Filings  
21-12309Ch13 filed in Wisconsin Western on 11/12/2021, Dismissed for failure to make plan payments on 12/07/2023 teache and  
20-12117Ch13 filed in Wisconsin Western on 08/14/2020, Dismissed for failure to make plan payments on 10/20/2021  
20-10500Ch13 filed in Wisconsin Western on 02/21/2020, Dismissed for Other Reason on 04/08/2020

## F. Tax Returns

Tax Year	Income	Refund Due Trustee	Federal Tax Return		State Tax Return		EIC Amount	Other Amount	Other 1 Amount
			Received On	Refund Amt	Received On	Refund Amt			
2023	50,127.00	877.00		1,219.00		3,128.00	1,970.00	1,500.00	0.00

Is Debtor Self Employed?	N	
Does Debtor Incur Trade Debt?	Y _____	N _____
Did Debtor Complete Business Trade Questionnaire?	Y _____	N _____
Will a Monthly Operating Report be Required?	Y _____	N _____

<b>3. MONTHLY BUDGET:</b>	Budgeted Income	9713.16	Available for Plan	2281.90
	Budgeted Expenses	7431.26	Plan Payments	2162.89
	Available for Plan	2281.90	Excess	119.01

- \$2133.60 SSI  
- DEPENDENTS ARE 18, 21, 22 - BUDGET NOTES 'COLLEGE STUDENTS,' ELDEST SON RECEIVES SSI WHICH IS KEPT IN SEPARATE BANK ACCT. FOR HOW LONG WILL THEY REMAIN AT HOME & DEPENDENT/NOT-CONTRIBUTING TO HOUSEHOLD- yes, will be some time

-BUDGET GENEROUS, FOOD+PERS CARE \$1650/MO? - discussed review if modified  
\$700/MO TRANSPORTATION; PET/ANIMAL EXPENSES \$1005/MO (4 DOGS, 3 CATS, 4  
ELDERLY HORSES, TORTOISE, 40 CHICKENS, 10 DUCKS, DUCKLINGS)

-SCH B#49 FARM EQUIPMENT NOT ITEMIZED & VALUE UNKNOWN  
-SCHED B #51 INCLUDES 'DEPT OF AG NON-COMMERCIAL W/ EGG LAYING PASTURE'  
VALUE UNKNOWN - EXPLAIN - hobby farm items not commercial sized, lawnmower tractor,  
misc. not rented out

-HOW IS THIS CASE DIFF FROM PREVIOUS FILINGS?  
-D2 WORKS AS TEACHER, PAID 9 OR 12 MONTHS? 12  
-ONE VEHICLE FOR FAMILY OF 5- older daughter has one

A. Number of months the Plan is expected to last: 45

Payment Start	Payment End	Payment Amount	Frequency	Source
6/30/2024	7/29/2024	750.00	MONTHLY	DEBTOR

Payment Start	Payment End	Payment Amount	Frequency	Source
7/30/2024	3/29/2028	2,195.00	MONTHLY	DEBTOR

B. Total to be paid into the Plan: 97330.00

C. Approximate percentage to Unsecureds: 0

D. Source of Income: VA PENSION + SOCIAL SECURITY

Spouse income: SUN PRAIRIE SCHOOL DISTRICT

E. Wage Order Sent To: DEBTOR on 25th pending on tfs

F. Payments received to Date: \$1,000.00

Will debtor commence payments within 30 days after the plan has been filed? Y

G. Has the plan been proposed in good faith and not any means forbidden by law? (Sec 1325(a)(3)Y

If "No", plan cannot be confirmed.

H. Attorney Fee Requested 4500.00 Paid to Date: \_\_\_\_\_

Balance Due Under Plan 4500.00 Approximate months to pay: 45.00

Trustee recommends amount requested? Y

If no, amount the Trustee recommends:

I. Does the Plan Properly Classify Debts? Y

\_\_\_\_\_

J. Does the plan provide for curing of default or payment in full of Secured Debt? (Sec 1325(a)(5)N

- OBJ TO CONF FILED BY NATIONSTAR (7/3/2024)

- OBJ TO CONF BY CAP ONE

K. Does the plan provide for full payment of Priority Debt? Y

-NONE

L. Was a Liquidation

Analysis Provided By the Debtor? (Sec 1325(a)(5))	<u>Under Chapter 7</u>	<u>Under Chapter 13</u>
N	Assets: 483325.37	Total Paid To Plan: 97330.00
Unsecureds Do Better Under Chapter: 13	Admin, Security: 311903.84	A.S.P. Debt: 311903.84
	Priority (ASP) 173874.09	Less Direct: 224074.96 87828.88
	Exemptions: 173874.09	Trustee Fee on Net A.S.P: 6206.32
	Available for UnSec: -2452.56	Amt Avail for Unsec: 3294.80

5. CLAIMS AND OBJECTIONS

Direct Claims

NATIONSTAR MORTGAGE LLC	Scheduled for:	223,746.84	Filed for:	0.00
Claim Ref Number: 6	Scheduled as:	DIRECT	Filed as:	Not Filed
Reason: mortgage homestead W8110 Phillips Rd			Filed date:	
Objection Filed? No				

  

ECMC	Scheduled for:	328.12	Filed for:	328.12
Claim Ref Number: 27	Scheduled as:	DIRECT	Filed as:	Direct
Reason: STUDENT LOAN (PRIVATE)			Filed date:	6/20/2024
Objection Filed? No				

**Secured**

CAPITAL ONE AUTO FINANCE	Scheduled for:	10,663.00	Filed for:	10,663.00
Claim Ref Number: 7	Scheduled as:	Secured	Filed as:	Secured
Reason: 2017 Dodge Ram - VALUATION			Filed date:	7/10/2024
Objection Filed? No				
NATIONSTAR MORTGAGE	Scheduled for:	72,994.00	Filed for:	0.00
Claim Ref Number: 5	Scheduled as:	Secured	Filed as:	Not Filed
Reason: mortgage arrears homestead W8110 Phillips Rd			Filed date:	
Objection Filed? Yes				

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US BANKRUPTCY COURT	Scheduled for:	0.00	Filed for:	0.00
Claim Ref Number: 4	Scheduled as:	Case Costs	Filed as:	Not Filed
Reason:			Filed date:	
Objection Filed? No				

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DEBTOR	Scheduled for:		Filed for:	
Claim Ref Number: 2	Scheduled as:	Refund	Filed as:	Refund
Reason:			Filed date:	5/31/2024
Objection Filed? No				
DEBTOR	Scheduled for:	0.00	Filed for:	0.00
Claim Ref Number: 3	Scheduled as:	Refund	Filed as:	Not Filed
Reason:			Filed date:	
Objection Filed? No				

**Attorney**

NOE RINCON	Scheduled for:	4,500.00	Filed for:	
Claim Ref Number: 1	Scheduled as:	Attorney	Filed as:	Not Filed
Reason:			Filed date:	
Objection Filed? No				

**6. TRUSTEE RECOMMENDATIONS:**

Does Trustee Recommend Confirmation? N

Trustee Comments:

{ 4J }  
NOTE:  
- PD KREKELER'S OFFICE \$7254.81 FOR LEGAL SERVICES FROM 6/2023 - 5/2024 PLUS  
NOW ADDL \$4500 FOR CH. 13  
  
OBJECTION ISSUES:  
- OBJ TO CONF FILED BY NATIONSTAR (7/3/2024)  
- OBJ TO CONF BY CAP ONE

Date Completed: 07/22/2024

/s/ \_\_\_\_\_  
Mark Harring  
Standing Chapter 13 Trustee

